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## OLR Bill Analysis

**sSB 310 (File 423, as amended by Senate "A")\***

### ***AN ACT CONCERNING THE REMOVAL OF INDIVIDUALS FROM THE STATE CHILD ABUSE AND NEGLECT REGISTRY.***

#### **SUMMARY:**

This bill creates a good cause procedure that people can use to have their names removed from the Department of Children and Families' (DCF) child abuse and neglect registry. By law, the registry lists people the DCF commissioner has determined to be responsible for committing child abuse or neglect ("substantiated") and pose a risk to children's health, safety, or well-being. Companies that perform background checks, licensing agencies, and potential employers have access to information in the registry.

Under the bill, abusers must be listed in the registry for at least five years from the date of the final decision in the case that led to their registration. Thereafter, they can reapply for name removal every two years if a new application lists good cause that occurred since the denial of the last application.

The bill directs DCF to (1) design an application with space for the applicant to describe the basis of his or her good cause claim and (2) adopt implementing regulations in conformity with the Uniform Administration Procedures Act (UAPA).

\*Senate Amendment "A" (1) requires an applicant to provide certain information to demonstrate rehabilitation; (2) provides that employment, licensing, and the need to engage in child-related activities qualify as a bona fide need for removal from the registry; and (3) specifies that licensed physicians and mental health professionals can provide letters of support.

EFFECTIVE DATE: July 1, 2012

## **GOOD CAUSE**

Under the bill, the commissioner's decisions are based on an applicant's showing of good cause. Good cause includes:

1. the applicant's rehabilitation as demonstrated by his or her personal conduct, lack of a criminal conviction related to a family member or child during the last five years, and letters of support (described below);
2. his or her acceptance of personal responsibility for actions and omissions that resulted in his or her name being placed on the registry;
3. a bona fide need for removal including the need to obtain or retain employment, licensure, or engage in activities involving direct contact with children; and
4. at least two letters in support of the application from people who know about the applicant's successful rehabilitation, such as a licensed physician or mental health professional.

### ***Commissioner's Action***

If the commissioner finds good cause to approve an application, she must accurately reflect the information on the finding in the child abuse registry. If she does not find good cause, the applicant is entitled to an administrative hearing and appeal under the UAPA.

## **COMMITTEE ACTION**

### Judiciary Committee

Joint Favorable Substitute

Yea 40 Nay 2 (03/26/2012)

### Human Services Committee

Joint Favorable

Yea 14 Nay 0 (04/26/2012)